

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**Hearing Date: October 19, 2016
Hearing Time: 9:55 a.m.**

In Re:

Case No. 16-23135-RDD
Chapter 13

David Fonseca,

Debtor

Assigned to:
Hon. Robert D. Drain
Bankruptcy Judge

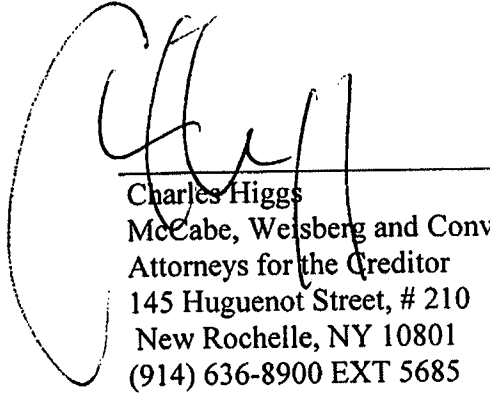
OBJECTION TO CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN

HSBC Bank USA, N.A. (hereinafter "Creditor"), secured creditor of the aforementioned Debtor, by and through its counsel, McCabe Weisberg Conway P.C., hereby objects to the Debtor's Chapter 13 Plan (the "Plan"), filed on September 2, 2016, as follows:

1. Creditor has a secured claim that encumbers the real property located at 147 Chalford Lane, Scarsdale, New York 10583.
2. Creditor is in the process of preparing a timely Proof of Claim to be filed with the Court by the Bar Date of December 15, 2016. Creditor's Claim will include arrears in the amount of approximately \$27,922.97.
3. Creditor objects to the Plan because it does not propose to cure the arrears owed on Creditor's claim.
4. By virtue of the foregoing, confirmation of the Debtor's proposed Chapter 13 Plan must be denied pursuant to 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, for the foregoing reasons, Creditor prays that an Order be entered denying confirmation of Debtors' Chapter 13 Plan and for such other and further relief as is just and proper.

Dated: New Rochelle, New York
September 16, 2016



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